

02-15-02

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Patent
Attorney Docket: 267/173

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: 267/173
First Named Inventor: Elaine Weidenhammer
Prior Application Information:
Serial No. 09/710,200
Examiner: Jeffrey Slew
Art Unit: 1656

Commissioner for Patents
Box PATENT APPLICATION
Washington, DC 20231

FILING UNDER 37 CFR § 1.53(b)

This is a request for filing for a

☐ continuation ☒ divisional ☐ continuation-in-part (CIP)

application under 37 CFR § 1.53(b) of pending prior application Serial No. 09/710,200 filed on November 9, 2000, by

Elaine Weidenhammer et al., entitled:

IMPROVED METHODS FOR GENE EXPRESSION MONITORING ON ELECTRONIC MICROARRAYS

For CONTINUATION or DIVISION APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied, referenced above, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

I. APPLICATION ELEMENTS ENCLOSED

36 Page(s) of Written Description

10 Page(s) of Claims

1 Page(s) of Abstract

8 Sheet(s) of Drawings ☒ formal ☐ informal

2 Page(s) of ☒ Declaration or ☐ Declaration and Power of Attorney

☒ Copy from prior application [37 CFR §1.63(d)]

☐ Newly executed

☒ Assignment papers (cover sheet and documents(s)) ✓

☒ An Information Disclosure Statement, PTO 1449, ☐ with copies of cited items.

OC-92398.1

CERTIFICATE OF MAILING (37 C.F.R. §1.10)

I hereby certify that I have a reasonable basis to expect that this paper (along with any referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as 'Express Mail - Post Office To Addressee' in an envelope addressed to Commissioner for Patents, Washington, DC 20231.

Express Mail Label No.: EL622500755US
Date of Deposit: February 12, 2002

Micheal A. Smith
Micheal A. Smith

jc997 U.S. PTO
10/075579
02/12/02

VI. AUTHORIZATION TO CHARGE ADDITIONAL FEES

The Commissioner is hereby authorized to credit Lyon & Lyon's Deposit Account No. **12-2475** for any over payment of fees and to charge the following additional fees by this paper and during the entire pendency of this application to Deposit Account No. **12-2475**:

- ☒ 37 CFR § 1.16 (Filing fees and excess claims fees)
- ☒ 37 CFR § 1.17 (Application processing fees)
- ☒ 37 CFR § 1.21 (Assignment recordation fees)

VII. POWER OF ATTORNEY & CORRESPONDENCE ADDRESS

- ☒ The power appears in the original papers in the prior application.

Please send all correspondence to Customer Number 22249:



22249

PATENT TRADEMARK OFFICE

LYON & LYON LLP
Suite 4700
633 W. Fifth Street
Los Angeles, CA 90071
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Please direct all inquiries to Patrick S. Eagleman, at the above Customer Number.

Respectfully submitted,

LYON & LYON LLP

By: 

Patrick S. Eagleman
Reg. No. 44,665

Dated: February 12, 2002

Enclosures

Nanogen, Inc.

Name of Assignee

10398 Pacific Center Court, San Diego, California 92121

Address of Assignee

Vice President, General Counsel, and Secretary

Title of person authorized to sign on behalf of assignee

Assignment recorded in PTO on May 11, 2001, Reel 011810, Frame 0769